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December 12, 2005

Honorable Nancy Gertner  
United States District Court  
District of Massachusetts  
John Joseph Moakley U.S. Courthouse  
1 Courthouse Way  
Boston, MA 02210

Honorable Marianne B. Bowler  
United States District Court  
District of Massachusetts  
John Joseph Moakley U.S. Courthouse  
1 Courthouse Way  
Boston, MA 02210

RE: Status Report on James Kehoe v. Mi-Jack Products, Inc., et al  
U.S.D.C. Docket No: 04-10232NMG

Dear Judge Gertner and Judge Bowler:

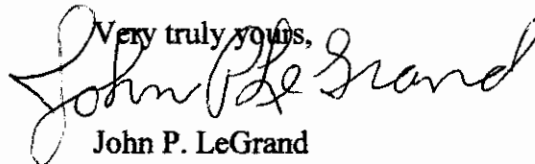
A motion with reference to the above-captioned matter was filed on August 22, 2005 for the purposes of transferring this action to Suffolk Superior Court as the addition of a new party, to wit: Massachusetts Port Authority, destroyed diversity in United States District Court for the District of Massachusetts.

The lawsuit was concurrently filed with two other longshore cases and a Motion to Consolidate the three (3) cases for the purposes of discovery and trial which was recently ruled on by Suffolk Superior Court. Attached herewith please find a copy of the allowance of Plaintiffs' Motion to Consolidate the three (3) cases. Suffolk Superior Court has allowed the three cases to be consolidated because of the striking similarities of the facts surrounding the accidents which happened in a near identical fashion on the same machine all within a ten (10) month period. Suffolk Superior Court has left the issue open

as to whether or not they will be further consolidated for the purposes of trial on the issue of liability or trial on the issue of damages.

There has been no opposition filed to the Plaintiff's Motion to Transfer the instant action to Suffolk Superior Court and at this time it is hereby requested that the Federal Court act on this motion so as to afford the parties an opportunity to pursue the litigation of this action exclusively in the Suffolk Superior Court.

Attached please find a copy of the allowance of Plaintiffs' Motion to Consolidate allowing the consolidation of the within three actions in Suffolk Superior Court, including but not limited to, the action of James Kehoe v. Mi-Jack Products, Inc. Fantuzzi Reggiane and Fantuzzi Reggiane, Inc.

Very truly yours,  
  
John P. LeGrand

cc: Mark B. Lavoie, Esquire  
Christopher W. Costello, Esquire  
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